

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE LOCAL 806
STRUCTURAL STEEL AND BRIDGE
PAINTERS OF GREATER NEW YORK
EMPLOYEE TRUST FUNDS, et al.,

ORDER

Plaintiffs,

No. 21-CV-01012 (PMH)

v.

AMERICAN VENTURE CONSTRUCTION
LLC, et al.,

Defendants.

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PHILIP M. HALPERN, United States District Judge:

The two remaining defendants in this case, American Venture Construction LLC and American Tri-venture LLC, are debtors in ongoing bankruptcy proceedings. The claims in this case against those remaining defendants are therefore stayed pursuant to 11 U.S.C. § 362.

On May 27, 2022, the Court issued an order providing that this case would be administratively closed without prejudice to reopen within thirty days of the conclusion of the bankruptcy proceeding unless, by June 3, 2022, the parties filed a letter explaining why this stayed case should remain open and active in light of the settlement with the sole non-bankrupt defendant. The parties have not filed any letter or otherwise communicated with the Court to date.

Accordingly, it is hereby ORDERED that the Clerk of Court shall administratively close this case, without prejudice to either party moving by letter motion to reopen the case within thirty days of the conclusion of the bankruptcy proceeding or other vacatur of the automatic stay.¹

¹ See *Bernardino v. Barnes & Noble Booksellers, Inc.*, 763 F. App'x 101, 103 (2d Cir. 2019) (there is “no jurisdictional significance to [a] docket entry marking [a] case as ‘closed,’ which . . . was made for administrative or statistical convenience.”); *Abreu v. Thomas*, No. 17-CV-01312, 2019 WL 11157245, at *1 (N.D.N.Y. July 19, 2019) (“Administrative closure is a docket management device which allows the removal of cases from the court’s docket in appropriate situations . . . The effect of an administrative closure is the same as a stay” (internal citations and quotation marks omitted)).

All conferences or other scheduled court appearances are cancelled.

SO ORDERED.

Dated: White Plains, New York
June 16, 2022

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written over a horizontal line.

Philip M. Halpern
United States District Judge